

1 MELINDA HAAG (CABN 132612)
United States Attorney

2 MIRANDA KANE (CABN 150630)
Chief, Criminal Division

4 JOHN N. GLANG (GUAMBN 94012)
Assistant United States Attorney

5 150 Almaden Boulevard, Suite 900
6 San Jose, California 95113
7 Telephone: (408) 535-5084
Facsimile: (408) 535-5066
Email: John.Glang@usdoj.gov

8 Attorneys for the United States of America

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION

13 UNITED STATES OF AMERICA,) No. CR 11-71035-HRL
14 Plaintiff,) STIPULATION AND [PROPOSED]
15 v.) DISCOVERY PROTECTIVE ORDER
16 GERARDO RODRIGUEZ-GUERRERO,) BETWEEN THE UNITED STATES AND
17 Defendant.) DEFENDANT
18 _____)

19
20 The above-captioned defendant and the United States of America, by and through their
21 counsel of record, hereby agree and stipulate as follows:

22 1. This Court may enter protective orders pursuant to Rule 16(d) of the Federal
23 Rules of Criminal Procedure, and its general supervisory powers.

24 2. This Order pertains to all discovery provided to or made available to defense
25 counsel as part of discovery in the above-cited case.

26 3. The discovery and information therein may only be used in connection with the
27 litigation of this case and for no other purpose. Defense counsel will return the discovery to the
28 government, or certify that it has been shredded at the conclusion of the case, which includes
appellate review and the resolution of any competency of counsel issues.

4. Defense counsel shall not provide any of the discovery to any person other than
1 to his/her respective defendant/client, or attorneys, law clerks, paralegals, secretaries, experts,
2 and investigators involved in the representation of his/her defendant/client, for the purpose of
3 said representation. Further, in disclosing discovery to defendants, personal information
4 contained in the discovery, including individuals' dates of birth, addresses (physical and email),
5 telephone numbers, social security numbers, and driver's license numbers, shall be redacted, and
6 shall not be provided to any defendant in any manner or form.

7. Defense counsel shall advise his/her respective defendant/client, employees,
8 other authorized members of the defense team and defense witnesses of the terms of this
9 stipulation and order, and that use of the subject discovery materials for a purpose other than in
10 connection with the litigation of this case may be subject to criminal sanctions.

11. Defense counsel will store the discovery in a secure place and will exercise due
12 diligence to ensure that it is not disclosed to third persons in violation of this agreement.
13. Similarly, if defense counsel makes or causes to be made, copies of any of the discovery, defense
14 counsel will exercise due diligence to maintain control of said copies and to ensure that said
15 copies are stored in a manner to safeguard against the inappropriate use of said materials.

17 DATED: October 7, 2011

MELINDA HAAG
United States Attorney

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20 /s/
JOHN N. GLANG
Assistant United States Attorney

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23 /s/
MICHAEL ARMSTRONG
Attorney for defendant Gerardo Rodriguez-Guerrero

25 **ORDER**

26 Based upon the stipulation of the parties, and for good cause shown, the Court hereby
27 ORDERS that the terms of the stipulation between the United States and the above-captioned
28 ///

1 defendant pertaining to the discovery in this case be imposed.

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3 IT IS SO ORDERED.
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5 DATED: "32B; B3


PAUL S. GREWAL
United States Magistrate Judge
Northern District of California

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